

**MINUTES  
COLUMBUS BOARD OF ZONING APPEALS  
NOVEMBER 25, 2008  
COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL  
123 WASHINGTON STREET  
COLUMBUS, INDIANA**

**Members Present:** Mary Ferdon, Chairperson; Dave Bonnell, Secretary;  
Lou Marr, Tom Wetherald, and Jeff Sharp

**Staff Present:** Laura Thayer, Assistant Planning Director; Alan Whitted, Deputy  
City Attorney; Sondra Bohn, Planning Department; and Bill  
Klakamp, Code Enforcement

**PUBLIC MEETING**

Mary Ferdon, Chairperson, opened the meeting with a brief explanation about the Board and its responsibilities.

The petitions and staff comments are a permanent record at the Planning Department.

Alan Whitted, Deputy City Attorney, administered the oath to all in attendance that would be speaking.

**OLD BUSINESS REQUIRING BOARD ACTION**

**Public Hearing**

**C/DS-08-25: Faith, Hope and Love Church**

Faith, Hope and Love Church is a request for a development standards variance to allow two access drives with separation distances of approximately 125 feet and 110 feet from adjacent drives, less than the 200 foot separation required between drives by Zoning Ordinance Section 7.3(C)(3)(a)(i). The property is located at 1395 West County Road 200 South in Columbus Township.

Ms. Thayer began the meeting by reading the back ground and a power point presentation was presented.

Mr. Harris stated that he would be willing to modify his request for a 200 foot separation requirement for the north drive.

The meeting was opened to the public.

Ms. Ferdon read the letter from the City Engineer's office that opposed the variance as requested, and recommended adherence to the 200 foot separation rule, as required by the zoning ordinance.

The meeting was closed to the public.

Mr. Bonnell made a motion to approve **C/DS-08-25** to allow the driveways with the modification that the first driveway from 200 South would be 200 feet from the intersection, and accept the south driveway to remain where it is proposed on the drawing. With the moving of the north driveway to 200 feet from County Road 200 South, he believed the proposal would meet all health and safety standards and would not present any hazard to the community or to the public, in regards to Criterion 1. He stated that, in regards to Criterion 2, the use of the area adjacent to the property would not be affected in a substantially adverse manner. In regards to Criterion 3, he stated that if there was only one drive, that would be a hardship in the use of the property.

Mr. Sharp seconded the motion. The motion passed by a vote of 5-0.

### **Public Hearing**

#### **C/DS-08-11: Cummins Engine Company**

Cummins Engine Company is a request for a development standards variance from Zoning Ordinance Section 8.1(D) (3) (a) to reduce the required landscape buffer from 15 feet to 5 feet. The property is located at 602, 630, and 634 Union Street in the City of Columbus.

Ms. Thayer asked that the Board continue **C/DS-08-11** to the December meeting, to allow the rezoning request to be decided by the City Council.

Mr. Bonnell made a motion to continue **C/DS-08-11**. The motion was seconded by Mr. Wetherald, and passed by a vote of 5-0.

### **Public Hearing-Continued to the January meeting at the applicant's request**

#### **C/CU-08-06 and C/CU-08-09 Columbus Fit**

Columbus Fit is a request for a conditional use approval for a softball practice field in a RT (Two-family Residential) zoning district, as provided by Zoning Ordinance Section 3.17(B). The property is located at 3475 Trestle Drive (approximately 260 feet south of Rocky Ford Road on the east side of Trestle Drive) in the City of Columbus.

Ms. Ferdon stated that Columbus Fit had asked for a continuance until the January meeting.

Ms. Marr made a motion to continue **C/CU-08-06** and **C/CU-08-09**. The motion was seconded by Mr. Wetherald and passed by a vote of 5-0.

## **NEW BUSINESS REQUIRING BOARD ACTION**

### **Public Hearing-Continued to the December meeting at the applicant's request C/CU-08-15: Patrick & Tricia McCoy**

Patrick and Tricia McCoy are requesting conditional use approval to allow a two-family dwelling in the RE (Residential Established) zoning district, per Zoning Ordinance section 3.12(B). The property is located at 1202 California Street in the City of Columbus.

Ms. Ferdon stated that there has been a request to continue **C/CU-08-15** to the next meeting in December.

Ms. Marr made a motion to continue, which was seconded by Jeff Sharp. The motion passed by a vote of 5-0.

## **FINDINGS OF FACT**

The following findings of fact were presented to the Board for consideration:

### **C/CU-08-04: Faith, Hope and Love Church**

Mr. Bonnell made a motion to accept the findings of fact, and it was seconded by Mr. Sharp. The motion passed by a vote of 5-0.

### **C/DS-08-14: Little Caesars**

Mr. Bonnell made a motion to accept the findings of fact, which was seconded by Jeff Sharp. The motion passed by a vote of 4-0, with Mr. Wetherald abstaining.

### **C/UV-08-02: Griffin Industries**

Mr. Sharp made a motion to accept the findings of fact, which was seconded by Ms. Marr. The motion passed by a vote of 5-0.

### **C/DS-08-17: Meek/Bryant/Meek**

Mr. Sharp made a motion to accept the findings of fact, which was seconded by Ms. Marr. The motion passed by a vote of 5-0.

### **C/DS-08-20: Frank Jerome**

Mr. Sharp made a motion to accept the findings of fact, which was seconded by Mr. Wetherald. The motion passed by a vote of 5-0.

### **C/CU-08-10: Columbus City Utilities**

Mr. Bonnell made a motion to accept findings, which was seconded by Mr. Sharp. The motion passed by a vote of 5-0.

### **C/CU-08-11: Sunham Home Fashions**

Mr. Sharp made a motion to accept findings, which was seconded by Ms. Marr. The motion passed by a vote of 5-0.

**C/DS-08-24 Circle K**

Mr. Bonnell made a motion to accept findings, which was seconded by Mr. Sharp. The motion passed by a vote of 5-0.

**APPROVAL OF MINUTES**

Upon the motion made by Ms. Marr and seconded by Mr. Wetherald, the minutes of the October 28, 2008 meeting were approved by a vote of 5-0.

**DISCUSSION**

Ms. Thayer stated that she had some information and a memo to go over with the Board in regards to Little Caesars.

Mr. Wetherald asked to be excused from the discussion.

Ms. Thayer said that there was new information that came out in the meeting and that Little Caesars could be classified as having a pick-up window rather than a drive-through window, which didn't require the same number stacking spaces.

She said that there was an administrative decision made by the planning department. She said that Little Caesars agreed to provide a walkway from the sidewalk, across the parking lot to the entrance.

Ms. Ferdon said that she still believed there were safety issues. She asked Mr. Whitted since the case had been continued what would be the next step.

Mr. Whitted said that the Board could accept or disagree with the staff decision.

Mr. Sharp made a motion to accept the Planning Department decision on **C/DS-08-14**. Mr. Bonnell seconded the motion, and it passed by a vote of 5-0.

There being no further business the meeting was adjourned.

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Mary Ferdon, Chairperson

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Dave Bonnell, Secretary